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1939. Collection No.

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Resident to Office
Bangalore.

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Pros. / Serial Nos. 1 - 3

Subject.

Amendments to Municipal Bye-Laws No. 2 - (Chap III) - Building Bye-Laws.

Previous References.

Later References.

RF. 293(2)-41

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NOTES AND PRECIS.

D.No.9467 S.N.1

Page 25 of Laws 1

Pages 47 & 50 of Bye Laws.

Please see sections 81 and 83(1) of the Bangalore Municipal Law. The existing Bye-laws issued under these sections are contained in Bye-law No.2-Chapter III Buildings - of the Municipal Bye-laws. They do not however cover all matters connected with building operations in the Station. The Commission therefore prepared a comprehensive set of Bye-laws on the lines of the Bangalore City Municipality's Building Bye-laws, which were published for objections. OBjections and suggestions were received from the Southern Division Ratepayers' Association. Most of them were accepted and the Bye-laws thus amended were approved by the Municipal Commission in their resolution No.6 of 31st August 1939.

Pages 11 to 22 of P.M.C.

2

The Municipal Commission are competent to frame the Bye-laws in exercise of the powers conferred on them under Section ~~98~~ 93(1) read with Section 137(1)(n) of the Bangalore Municipal Law. Under Section 139(1) et seq the resolution will come into force only after it has been confirmed by the Resident and published in the Residency Orders. The resolution may be confirmed and the P.M.C. may be asked to send a notification for publication in the Residency Orders.

Draft submitted.

KLC 27.9.39

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Resident.

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NOTES AND PRECIS.

5—3,000—12—5—39.

No. 1659/89.

CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

Dated 9th September 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
12 SEP 1939
Diary No. 9467
File No.

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

I have the honour to state that the question of amending Bye-law No.2, Chapter III - Buildings, in order to make it comprehensive by the inclusion in it of various points connected with building operations in the Station, has been engaging the attention of the Municipal Commission for a long time.

Pages 49 and 50 of Bye Laws.

At its special meeting held on the 27th April 1939, the Commission decided to publish for objections the enclosed draft Building Bye-laws prepared on the basis of the Bangalore City Municipality's Building Bye-laws with suitable alterations and recommended by the Health Committee. The draft was accordingly published for objections - vide copy of this office Notice No.1659/39 dated the 10th May 1939 enclosed. No objections or suggestions were received except from the Southern Division Ratepayers' Association - vide copy of the Association's letter No.315/39 dated the 10th June 1939 enclosed. The Association's objections and suggestions were considered by the Standing Committee of the Commission on the 18th July 1939, who recommended the adoption of the Bye-laws with the amendments enumerated in the enclosed list.

Enclosure I. (Page 3 infra)

Enclosure II (Pages 4 to 10 infra)

Enclosure III. Pages 11 to 13 infra)

Enclosure IV (Pages 14 to 16 infra)

Enclosure V (Page 17 infra)

The matter was placed before the Municipal Commission at its special meeting held on the 27th July 1939 and deferred for further consideration - vide copy of the Municipal Commission's resolution No.1 dated the 27th July 1939 enclosed.

Enclosure VI (Page 18 infra)

12

again on the 22nd August 1939 and recommended the adoption of the draft with the amendments enumerated in the enclosed list. It will be seen from this list that most of the objections and suggestions of the Southern Division Ratepayers' Association have been met, the others being considered unnecessary. The list also includes a few amendments in drafting which do not find a place in the amendments originally recommended by the Standing Committee.

Enclosure VII (Pages 19 & 20 infra)

The matter was again placed before the Commission at its special meeting held on the 31st August 1939 when it was resolved that the proposed Bye-laws with the amendments recommended by the Standing Committee be approved and be submitted to the Hon'ble the Resident for confirmation - vide copy of the Municipal Commission's resolution No.6 dated the 31st August 1939 enclosed. I request that the Hon'ble the Resident may be pleased to confirm the proposed Bye-laws accordingly to come into force with effect from the 1st November 1939.

Enclosure VIII (Pages 21 & 22 infra)

I enclose a copy of the Bye-laws as now approved by the Commission.

Enclosure IX (Pages 23 & 29 infra)

I have the honour to be,
Sir,
Your most obedient servant,

H.H. Cubbon

President, M. C.

MVL.
8-9-39.

17

(Enclosure No: I)

13

Municipal Commission's resolution dated the 27th April 1939. (Special Meeting).

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2. Draft Building Bye-laws to be published for objections.

Recommended by the Health Committee with certain alterations.

On the suggestions of the President, the Commission agreed to the draft bye-laws as recommended by the Health Committee being published for objections.

Resolved that the draft of the Building Bye-laws as recommended by the Health Committee, be published for objections.

(File No.36 of 1939).

(Sd). C. F. V. Williams,
President, M. C.

" Copy. "

MVL.

O. Carroll.

Draft of the proposed Building Bye-laws.

Bangalore Municipal Law - Section 83.

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1. The roof and external walls of huts or other buildings within Municipal limits shall not be made or renewed of grass, mats, leaves or other highly inflammable material, without the written permission of the President.

Bangalore Municipal Law Section 83 (1) and 137 (1) (n).

2. Before beginning to erect or re-erect any building, the person intending to erect or re-erect such building shall give to the President notice in writing of his intention. The power of sanctioning or refusing to sanction such building under Section 83 shall be exercised by the President.

3. Every person giving such notice shall submit therewith a site plan and plans and specifications of the proposed buildings in accordance with the following rules :-

(i) The site plan shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to 32 feet and showing:-

(a) the area to be occupied by the proposed buildings;

(b) the position, nature and use of all existing buildings thereon, and of the proposed building, and all appurtenant out-buildings;

(c) the nature of the ground on which the proposed buildings are to be erected, whether made or natural, whether rock, clay, gravel, sand or mixed, as the case may be; and in the case of made grounds, the time when it was so made and the materials used in making it;

(d) the position of latrines or privies, and the proposed method of drainage;

(e) the names, (if any), or description of the adjacent roads, streets or lanes with the width thereof, and the position and use of adjacent buildings;

Provided that in the case of buildings of which the value will be less than Rs.500/-, it shall be sufficient for the site plan to show, to the satisfaction of the President, without scale, the size of the proposed building and its

position

15

position on the land together with the position of the land with reference to adjacent buildings or lands.

(ii) The plans of the proposed buildings shall be submitted in duplicate, drawn in tracing cloth to a scale of not less than one inch to eight feet and showing :-

(a) the plan of the ground floor and of each floor, with sections and elevations on the same scale;

(b) the level of the foundation and lowest floor or plinths with reference to the level at the centre of the adjacent roads, or streets and the level of the site;

(c) the depth and thickness of foundations;

(d) the height and thickness of the plinth or basement walls and of the walls above the plinth;

(e) the thickness of the floor or floors and the dimensions and structure of the roof.

Provided that in the case of buildings of which the value will be less than Rs.500/-, it shall be sufficient to show in writing to the satisfaction of the President, the levels at which the foundation and lowest floor are proposed to be laid.

(iii) The plans of every building of which the value will be not less than Rs.500/- shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof, including the dimensions of all beams, bressemers, posts, pillars and columns.

4. Prohibition of certain sites. No foundation of a new building intended for human occupation, shall be constructed on a site which has been filled up with or used as a place for depositing excrementitious matter or the carcasses of dead animals or other filthy or offensive matter until such matters shall have been properly removed to the satisfaction of the Health Officer or shall in his opinion, have become innocuous.

5. Building not to be erected on a Municipal drain. No building shall be erected over a Municipal drain.

6. Location of the Building. In no new building shall the foundation of the external wall along the street be located less than 1½ feet from the edge of the street including the drain.

16

7. Foundation of walls. The footings of the walls and the posts of the ground floor of the building proposed to be erected should rest on the solid ground or upon a sufficient thickness of concrete, or upon some solid and sufficient substructure as a foundation.

Provided that where a solid rock is met with, at or near the surface of the site of such building, that is, within 3 feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly cleaned sufficient and stepped or jagged to receive the first course of masonry.

8. Plinth. The height of the plinth shall, in the case of buildings which are to be built nearer to a street, be not less than $1\frac{1}{2}$ feet above the level of the street on which it abuts and in the case of buildings which are to be built farther to a street, it shall not be below such height as may be fixed by the President.

9. Insertion of damp proof courses. In the case of buildings which, in the opinion of the President, Municipal Commission, are likely to be damp on account of the high level of the sub-soil water in the site, if the President deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement, vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

10. Chimney. Every person erecting a chimney, shall so construct it that the upper outlet shall be at least 4 feet above the roof of the house.

11. Height and area of the room.

(a) The minimum height of every room intended to be inhabited in a building shall be not less than 8 feet from the floor to the ceiling.

(b) No room should have less than 50 sq. feet superficial area

12. (1) Every such room shall have windows or ventilators (other than roof lights or ventilators) opening directly into the external air and of a superficial area of not less than twelve and a half per cent of the floor area of the room or twelve square feet, whichever is greater.

Provided that where any door or doors of such room also

open directly into the external air, it shall be sufficient if the total superficial area of such door or doors and of the windows and ventilators is not less than twenty per cent of the floor area of the room.

(2) The condition prescribed by sub-rule (1) shall be deemed to be satisfied if the doors, windows and ventilators referred to therein open, instead of into the external air, into a verandah.

(i) the height of the eaves of which measured from the level of the floor thereof is not less than five feet; and

(ii) which opens for the whole of its length on to an open space of width not being less than eight feet or double the width of the verandah, whichever is greater.

(3) Every open space referred to in clause (ii) of sub-rule (2) shall be free and be kept free from any erection thereon and shall be open to the sky.

13. Height of the building. No person erecting a building which abuts on a street, shall so construct it that any point of it is at a height greater than 1½ times, and in no case more than 60 feet, the width of the street immediately in front of it, including open spaces if any; provided that nothing in this bye-law shall debar any person from re-constructing any building which had stood within two years on the same site, on the model of and with the same dimensions as the original building.

14. Aerial Projections. No person who builds, alters or adds to a building within the meaning of section 83 of the Bangalore Municipal Law shall project aerially, beyond the limits of his site, any part of his building, temporary or permanent, so as to make it encroach upon or overhang any Municipal road, or lane, or the margin thereof, or any other Municipal land.

15. All water spouts to drain roof or other water, shall be led down to the ground touching the wall, and shall not be so constructed as to discharge water to the inconvenience or annoyance of neighbours, passersby, or to the damage of the Municipal property.

16. No shutters of stables or other buildings shall be so constructed as to project on Municipal land when left open.

17. All Officers of Health Department of and above the grade of

Department of and above the grade of Sub-Overseers, shall be competent to inspect buildings under construction at all reasonable hours during the day and where a license has been granted, to satisfy themselves that the work under progress is in conformity with the terms of the license and not contrary to the existing bye-laws.

18. Septic tanks shall only be constructed on type plans approved by the Engineering and Health Departments, copies of which will be available on application.

19. Drainage to be provided in certain cases. In localities where facilities for drainage and daily conservancy have not been created on account of such localities not having been taken up for laying them out into house sites, no dwelling houses shall be constructed unless sufficient facilities for drainage and daily conservancy are provided by the owner of the land to the satisfaction of the President.

20. Area of the site built upon. On all plots measuring 100 ft. x 100 ft. half the area may be allowed to be built upon, and on plots measuring more than 100 ft. x 100 ft. one-third and on smaller plots (no plots being less than 50 ft. x 40 ft.) up to two-thirds built on area may be allowed.

21. Huts, sheds or ranges. Every person who shall erect huts or sheds or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables, or for any other purpose, shall, if the President so require, build the same.

(a) so that they may stand in regular lines with a free passage or way in front of and between every two lines of such width as the President may direct for ventilation and for facilitating scavenging;

(b) with such and so many privies, latrines, or urinals and such means of drainage as the President may require; and

(c) at such level as will suffice for the means of drainage required by the President.

22. Prohibition of mud walls. Within the Station limits, no wall of any building shall be made of mud alone.

23. Building plot to be levelled. The building plot of every building shall be levelled in such a manner that rain water may rapidly drain off into a water course of Municipal drain.

24. General. No building site shall be surrounded by a bed-

lantana, aloe, prickly-pear or other objectionable plant, or by a fence of barbed iron wire.

25. No pits shall be excavated in the sites allotted for building dwelling houses.

26. Every house shall have decent frontage and no perishable or inflammable material shall be used for construction. Houses shall not be built contiguous to each other.

27. No person shall construct over a privy, new or old, any room or structure of any description except another privy, or a bathing place or bath room.

28. If it appears to the President, that any Bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right or to conform to the terms of the license granted to him within a reasonable time, specified in such a notice.

Such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which the erection of such building may be in contravention of any such bye-law.

29. Notice of completion of building. Every person, who shall erect a building shall, within one month after the completion of the erection of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of the erection of such building.

30. A permission to build granted under these bye-laws shall become inoperative if the construction has not been commenced within one year of the date of such permission, provided that a license once obtained shall be renewed on application for an additional one year from the date on which such license is renewed.

31. Special conditions to individual cases. Not withstanding anything contained in these bye-laws, it shall be within the discretion of the Municipality to attach special conditions to individual cases, provided that they are not inconsistent with the provisions of the Law.

32. Penalty. Every person who commits any breach of bye-law

10

21, 22, 23, 24, 25, 26, 27, 28 and 29 shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs.200/-.

" Copy. "

MVL.

D. Carroll

Enclosure No. III

No. 1659/39.

Civil and Military Station, Bangalore,
Municipal Office,
dated 10th May 1939.

NOTICE.

The following draft Building Bye-laws, which the Municipal Commission for the Civil and Military Station, Bangalore, propose to consider after the 15th June, 1939, are hereby published for the general information of the public:—

1. The roof and external walls of huts or other buildings within Municipal limits shall not be made or renewed of grass, mats, leaves or other highly inflammable material, without the written permission of the President.

Bangalore Municipal Law Section 83 (1) and 137 (1) (N).

2. Before beginning to erect or re-erect any building, the person intending to erect or re-erect such building shall give to the President notice in writing of his intention. The power of sanctioning or refusing to sanction such building under section 83 shall be exercised by the President.

3. Every person giving such notice shall submit therewith a site-plan and plans and specifications of the proposed buildings in accordance with the following rules:—

(i) The site-plan shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to 32 feet and showing:—

(a) the area to be occupied by the proposed buildings;

(b) the position, nature and use of all existing buildings thereon, and of the proposed building, and all appurtenant out-buildings;

(c) the nature of the ground on which the proposed buildings are to be erected, whether made or natural, whether rock, clay, gravel, sand or mixed, as the case may be; and in the case of made grounds, the time when it was so made and the materials used in making it;

(d) the position of latrines or privies, and the proposed method of drainage;

(e) the names, (if any), or description of the adjacent roads, streets or lanes with the width thereof, and the position and use of adjacent buildings;

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient for the site-plan to show, to the satisfaction of the President, without scale, the size of the proposed building and its position on the land together with the position of the land with reference to adjacent buildings or lands.

(ii) The plans of the proposed buildings shall be submitted in duplicate, drawn in tracing cloth to a scale of not less than one inch to eight feet and showing:—

(a) the plan of the ground floor and of each floor, with sections and elevations on the same scale;

(b) the level of the foundation and lowest floor or plinths, with reference to the level at the centre of the adjacent roads, or streets and the level of the site:

(c) the depth and thickness of foundations;

(d) the height and thickness of the plinth or basement walls and of the walls above the plinth;

(e) the thickness of the floor or floors and the dimensions and structure of the roof.

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient to show in writing to the satisfaction of the President, the levels at which the foundation and lowest floor are proposed to be laid.

(iii) The plans of every buildings of which the value will be not less than Rs. 500 shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof, including the dimensions of all beams, bressemers, posts, pillars and columns.

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No foundation of a new building intended for human occupation, shall be constructed on a site which has been filled up with or used as a place for depositing excrementitious matter or the carcasses of dead animals or other filthy or offensive matter until such matters shall have been properly removed to the satisfaction of the Health Officer or shall in his opinion, have become innocuous.

5. Building not to be erected on a Municipal Drain.

No building shall be erected over a Municipal Drain.

6. Location of the building.

In no new building shall the foundation of the external wall along the street be located less than 1½ feet from the edge of the street including the drain.

7. Foundation of walls.

The footings of the walls and the posts of the ground floor of the building proposed to be erected should rest on the solid ground or upon a sufficient thickness of concrete, or upon some solid and sufficient sub structure as a foundation.

Provided that where a solid rock is met with, at or near the surface of the site of such building, that is, within 3 feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly cleaned sufficient and stepped or jagged to receive the first course of masonry.

8. Plinth.

The height of the plinth shall, in the case of buildings which are to be built nearer to a street, be not less than 1½ feet above the level of the street on which it abuts and in the case of buildings which are to be built farther to a street, it shall not be below such height as may be fixed by the President.

9. Insertion of damp proof courses.

In the case of buildings which, in the opinion of the President, Municipal Commission, are likely to be damp on account of the high level of the sub-soil water in the site, if the President deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement, vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

10. Chimney.

Every person erecting a chimney, shall so construct it that the upper outlet shall be at least 4 feet above the roof of the house.

11. Height and area of the room.

(a) The minimum height of every room intended to be inhabited in a building shall be not less than 8 feet from the floor to the ceiling.

(b) No room should have less than 50 sq. feet superficial area.

12. (1) Every such room shall have windows or ventilators (other than roof lights or ventilators) opening directly into the external air and of a superficial area of not less than twelve and a half per cent of the floor area of the room or twelve square feet, whichever is greater.

Provided that where any door or doors of such room also open directly into the external air, it shall be sufficient if the total superficial area of such door or doors and of the windows and ventilators is not less than twenty per cent of the floor area of the room.

(2) The condition prescribed by sub-rule (1) shall be deemed to be satisfied if the doors, windows and ventilators referred to therein open, instead of into the external air, into a verandah.

(i) the height of the eaves of which measured from the level of the floor thereof is not less than five feet; and

(ii) which opens for the whole of its length on to an open space of width not being less than eight feet or double the width of the veranda, whichever is greater.

(3) Every open space referred to in clause (ii) of sub-rule (2) shall be free and be kept free from any erection thereon and shall be open to the sky.

13. Height of the building.

No person erecting a building which abuts on a street, shall so construct it that any point of it is at a height greater than 1½ times, and in no case more than 60 feet, the width of the street Immediately in front of it, including open spaces if any; provided that nothing in this bye-law shall debar any person from re-constructing any building which had stood within two years on the same site, on the model of and with the same dimensions as the original building.

14. Aerial Projections.

No person who builds, alters or adds to a building within the meaning of section 83 of the Bangalore Municipal Law shall project aerially, beyond the limits of his site, any part of his building, temporary or permanent, so as to make it encroach upon or overhang any Municipal road, or lane, or the margin thereof, or any other Municipal land.

15. All water spouts to drain roof or other water, shall be led down to the ground touching the wall, and shall not be so constructed as to discharge water to the inconvenience or annoyance of neighbours, passers-by, or to the damage of the Municipal property.

16. No shutters of stables or other buildings shall be so constructed as to project on Municipal land when left open.

17. All Officers of Health Department of and above the grade of Sanitary Inspectors and all Officers of the Municipal Public Works Department of and above the grade of Sub-Overseers, shall be competent to inspect buildings under construction at all reasonable hours during the day and where a license has been granted, to satisfy themselves that the work under progress is in conformity with the terms of the license and not contrary to the existing bye-laws.

18. Septic tanks shall only be constructed on type plans approved by the Engineering and Health Departments, copies of which will be available on application.

19. Drainage to be provided in certain cases.

In localities where facilities for drainage and daily conservancy have not been created on account of such localities not having been taken up for laying them out into house sites, no dwelling houses shall be constructed unless sufficient facilities for drainage and daily conservancy are provided by the owner of the land to the sastisfaction of the President.

20. Area of the site built upon.

On all plots measuring 100 ft. x 100 ft. half the area may be allowed to be built upon, and on plots measuring more than 100 ft. x 100 ft. one-third and on smaller plots (no plots being less than 50 ft. x 40 ft.) up to two-thirds built on area may be allowed.

21. Huts, sheds or ranges.

Every person who shall erect huts or sheds or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables, or for any other purpose, shall, if the President so require, build the same.

(a) so that they may stand in regular lines with a free passage or way in front of and between every two lines of such width as the President may direct for ventilation and for facilitating scavenging;

(b) with such and so many privies, laterines, or urinals and such means of drainage as the President may require; and

(c) at such level as will suffice for the means of drainage required by the President.

22. Prohibition of mud walls.

Within the Station limits, no wall of any building shall be made of mud alone.

23. Building plot to be levelled.

The building plot of every building shall be levelled in such a manner that rain water may rapidly drain off into a water course of Municipal drain.

24. General.

No building site shall be surrounded by a hedge of lantana, aloe, prickly-pear or other objectionable plant, or by a fence of barbed iron wire.

25. No pits shall be excavated in the sites alloted for building dwelling houses.

26. Every house shall have decent frontage and no perishable or inflammable material shall be used for construction. Houses shall not be built contiguous to each other.

27. No person shall construct over a privy, new or old, any room or structure of any description except another privy, or a bathing place or bath room.

28. If it appears to the President, that any Bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right or to conform to the terms of the license granted to him within a reasonable time, specified in such a notice.

Such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which the erection of such building may be in contravention of any such bye-law.

29. Notice of completion of building

Every person, who shall erect a building shall, within one month after the completion of the erection of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of the erection of such building.

30. A permission to build granted under these bye-laws shall become inoperative if the construction has not been commenced within one year of the date of such permission, provided that a licence once obtained shall be renewed on application for an additional one year from the date on which such license is renewed.

31. Special conditions to individual cases

Notwithstanding anything contained in these bye-laws, it shall be within the discretion of the Municipality to attach special conditions to individual cases, provided that they are not inconsistent with the provisions of the Law.

32. Penalty

Every person who commits any breach of bye-law Nos. 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 200.

2. Objections and suggestions should reach the Presideet, Municipal Commission, on or before the 12th June, 1939.

(Sd.) C. P. CHANDRAN,

Letter No.315/39 dated the 10th June 1939, from the Honorary Secretary and Treasurer, Southern Division Ratepayers' Association, Bangalore, to the President, Municipal Commission, Civil and Military Station, Bangalore.

The proposed Building Bye-law.

With reference to your notice No.1659/39 dated the 10th May 1939, I am desired to forward the following suggestions and objections :-

1. The words "framed under the B. M. L. Section 83 (1) and 137 (1) (n)" should be inserted in the preamble, and not after Section 1.

2. Sections 3 (i) and (ii) - After the words "tracing cloth" insert "blue print or paper". The preparation of plans in duplicate on tracing cloth entails unnecessary labour and expense to the owner.

3. Section 8 - The section might be made clearer as regards the intention in regard to the expressions "nearer to a street" and "farther to a street".

4. Section 11(b) - The word "such" to be inserted between the words 'no' and 'room'. It is only in living rooms that sufficient air space is required.

5. Section 12 (3) - Add at the end "provided that a portico is not considered as in any way objectionable".

6. Section 18 - Between the words "constructed" and "on" insert 'on soil certified to as fit by and'. Several cases are in existence where septic tanks were made a condition of sanctio to construction and yet, when constructed, had been found to be unworkable and an unpardonable waste of money.

7. Section 24 - Add at the end: "except when the barbed wire is erected on a wall not less than 4 ft. high". The barb wire by itself is certainly objectionable as an enclosure, but owners might require the safety of the produce of their compou for instance, by this method, in preference to erecting high walls.

8. Section 25 - Objected to and deletion suggested. The clay required for construction is always obtained from excavations made "in the sites", though not within the area to be bui

upon. If this prohibition is insisted on, the cost of construction of buildings will be increased considerably for no rhyme or reason.

9. Section 31 - The object of this section is not clear and its retention might possibly result in an abuse of powers. This Bye-law is obviously intended to supplement the provisions of the Law and it would appear strange that the Commission still desire to retain special unspecified powers, even though qualified by the proviso that the conditions "are not inconsistent with the provisions of the Law". It is within the knowledge of this Association that conditions not coming within the four corners of the Law have been insisted on in the past. Deletion of this clause is suggested.

10. Section 32 - The proposed limit of Rs.200/- is ultra vires, vide Section 138 of the Bangalore Municipal Law which lays down a limit of Rs.50/- only. In the Bangalore Municipal Law offences are graduated and fines ranging from Rs.10/- to Rs.200/- provided for, according to their gravity. There appears to be no reason whatever why fines for all offences under this Bye-law should be clubbed together in an omnibus section and the maximum fixed at Rs.200/-. Further there are only three major offences under the Bangalore Municipal Law, punishable with fines up to Rs.200/- and none of the offences under the proposed Bye-law is of that nature, nor does the section under which this Bye-law is framed enable fines to be levied as proposed.

11. It is very essential that the public should know the grounds on which approval of a site for the construction or re-construction of a building or permission to construct or reconstruct a building may be refused and it is suggested that a section on the lines of Section 240 of the Madras City Municipal Act, 1919, as modified up to 19th January 1937, be added to the Bye-law. Provision should also be made in the Bye-law that, in cases of refusal of sanction, reasons for such refusal be communicated to the applican

12. In cases where corners of compound walls will abut on cross roads, provision should be made that the wall be curved by an arc of a circle with its tangent joints not less than 15 feet from

the apex and that this length of curved wall be restricted to a height of 4 feet. If an additional height is desired, the same to consist of iron railings.

13. The head lines of Bye-laws are inaccurate and misleading. For instance Section 14 of the Bye-law with the head line "Aerial Projections" deals with water spouts, shutters of stables, powers of inspection, septic tanks etc.

" Copy. "

MVL.
O. Carroll.

(Enclosure No. V.)

Draft Building Bye-laws.

Amendments recommended by the Standing Committee at their meeting held on the 18th July 1939.

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(1) Insert the following heading above Section 1 :-

"Bangalore Municipal Law - Section 81".

(2) Substitute the following for Section 8 :-

" The height of the plinth shall, in the case of buildings which are to be built abutting a street, be not less than 1½ feet above the level of the street, and in the case of buildings which are to be built further away, it shall not be below such height as may be fixed by the President."

(3) Insert the word "such" between the words 'no' and 'room' in Section 11 (b).

(4) Insert the words "on soil certified as fit by and" between the words "constructed" and 'on' in Section 18.

(5) Delete Section 25 and renumber Sections 26, 27, 28, 29, 30, 31 and 32 as 25, 26, 27, 28, 29, 30 and 31.

(6) Substitute 'Rs.50/-' for "Rs.200/-" in Section 32.

(7) Put the head line "Aerial projections" above Section 14 in line with the first line of the Section.

(8) Insert the head lines "Inspection" and "Septic tanks" in line with the first line in Sections 17 and 18 respectively.

" Copy. "

MVL.
D. Carroll

(Enclosure No: VI)

Municipal Commission's resolution dated the 27th July 1939. (Special Meeting).

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1. Consideration of the objections and suggestions received regarding the proposed draft Building Bye-laws.

Recommended to amend as proposed in last column of Statement. (vide Enclosure No VI).

The President explained that the Southern Division Ratepayers' Association had sent in certain objections and suggestions in respect of the proposed draft Building Bye-laws and read out for the information of the Commissioners, the amendments proposed by the Standing Committee with reference to those objections.

After a short discussion, Mr. Sinclair proposed that the matter be deferred to the next meeting.

Mr. Narasimha Rao Nayudu seconded the proposal and Messrs. Sundaram Iyer, Ekambaram, DeSouza and Mahmood Shariff supported it.

The President put Mr. Sinclair's proposal to the meeting and it was carried.

Resolution - Deferred to the next meeting.

(File No.36 of 1939).

(Sd). H. H. Carleston,

President, M. C.

" Copy. "

D. Carroll

Draft Building Bye-laws.

Amendments recommended by the Standing Committee at their meeting held on the 22nd August 1939.

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1. The heading "Bangalore Municipal Law - Sections 81, 83(1) and 137 (1) (n)" to be put above Section 1 of the Bye-laws.

2. The following to be substituted for the original Section 8 :-

> "The height of the plinth shall, in the case of buildings which are to be built abutting a street, be not less than 1½ feet above the level of the said street, and in the case of buildings which are to be built away from a street, it shall not be below such height as may be fixed by the President."

3. Insert the word 'such' between the words 'no' and 'room' in Section 11 (b).

4. Add the following proviso under Section 12 (3) :-

> " Provided that a portico of reasonable dimensions may be treated as part of the open space for the purposes of these sub-rules."

5. Put the head line "Aerial Projections" above Section 14 in line with the first line of the section.

6. Substitute the following for the original Section 14 :-

> 14. Aerial Projections. No person who builds, alters or adds to a building within the meaning of section 83 of the Bangalore Municipal Law shall allow any part of his building, temporary or permanent, to project aerially, beyond the limits of his site so as to make it encroach upon or overhang any Municipal road, or lane, or the margin thereof, or any other Municipal land.

7. Insert the head lines "Inspection" and "Septic Tanks" in line with the first line in Sections 17 and 18 respectively.

8. Insert the words "on soil certified as fit by and" between the words "constructed"and 'on' in Section 18.

9. Substitute the following for the original Section 20 :-

> 20. Area of the site built upon. On all plots measuring 100 ft. x 100 ft. half the area may be built upon, on plots measuring more than 100 ft. x 100 ft. one-third and on smaller plots (no plots being less than 50 ft. x 40 ft.) up to two-thirds.

10. Delete Section 25 and re-number Sections 26 to 32 as Sections 25 to 31.

11. Substitute the following for the original Section 28 :-

> 28. If it appears to the President, that any Bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right the defect or to conform to the terms

(20

Such person shall, within the time specified in such notice, comply with the several requirements thereof.

12. Substitute the following for the original Section 29 :-

29. Notice of completion of building. Every person, who shall erect a building, shall within one month after the completion of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of such building.

13. In Section 31 substitute "President, Municipal Commission" for "Municipality".

14. Substitute "Rs.50/-" for "Rs.200/-" in Section 32.

" Copy. "

MVL.
O. Carroll.

(Enclosure No. VIII.)

Municipal Commission's resolution dated the 31st August 1939. (Special Meeting).

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6. Consideration of the objections and suggestions received regarding the proposed draft Building Bye-laws.

Recommended as now amended. (Vide enclosure No. VII).

Resolved that the Building Bye-laws published for objections in Notification No.1659/39 dated the 10th May 1939, to be substituted for the present Bye-law No.2, Chapter III - Buildings - be approved with the amendments detailed below and be submitted to the Hon'ble the Resident for confirmation :-

1. The heading "Bangalore Municipal Law - Sections 81, 83(1) and 137(1) (n)" to be put above Section 1 of the Bye-laws.

2. The following to be substituted for the original Section 8 :-

" The height of the plinth shall, in the case of buildings which are to be built abutting a street, be not less than 1½ feet above the level of the said street, and in the case of buildings which are to be built away from a street, it shall not be below such height as may be fixed by the President."

3. Insert the word 'such' between the words 'no' and 'room' in Section 11 (b).

4. Add the following proviso under Section 12 (3) :-

"Provided that a portico of reasonable dimensions may be treated as part of the open space for the purposes of these sub-rules."

5. Put the head line "Aerial Projections" above section 14 in line with the first line of the section.

6. Substitute the following for the original Section 14 :-

14. Aerial Projections. No person who builds, alters or adds to a building within the meaning of section 83 of the Bangalore Municipal Law shall allow any part of his building, temporary or permanent, to project aerially, beyond the limits of his site so as to make it encroach upon or overhang any Municipal road, or lane, or the margin thereof, or any other Municipal land.

7. Insert the head lines "Inspection" and "Septic Tanks" in line with the first line in Sections 17 and 18 respectively.

8. Insert the words "on soil certified as fit by and" between the words 'constructed' and 'on' in Section 18.

9. Substitute the following for the original Section 20 :-

20. Area of the site built upon. On all plots measuring 100 ft. x 100 ft. half the area may be built upon, on plots measuring more than 100 ft. x 100 ft. one-third and on smaller plots (no plots being less than 50 ft. x 40 ft.) up to two-thirds.

10. Delete Section 25 and re-number Sections 26 to 32 as Sections 25 to 31.

11. Substitute the following for the original Section 28 :-

28. If it appears to the President, that any Bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right the defect or to conform to the terms of the license granted to him within a reasonable time as specified in such a notice.

Such person shall, within the time specified in such notice, comply with the several requirements thereof.

12. Substitute the following for the original Section 29 :-

29. Notice of completion of Building. Every person, who shall erect a building, shall within one month after completion of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of such building.

13. In Section 31 substitute "President, Municipal Commission" for "Municipality".

14. Substitute "Rs.50/-" for "Rs.200/-" in Section 32.

(File No.36 of 1939).

(Sd). H. H. Carleston,

President, M. C.

" Copy. "

MVL.
Olive Carroll.

PROPOSED BUILDING BYE-LAWS.

Bye-law No.2, Chapter 3 - Buildings.

BANGALORE MUNICIPAL LAW - Sections 81, 83 (1) and 137 (1) (n).

1. The roof and external walls of huts or other buildings within Municipal limits shall not be made or renewed of grass, mats, leaves or other highly inflammable material, without the written permission of the President.

2. Before beginning to erect or re-erect any building, the person intending to erect or re-erect such building shall give to the President notice in writing of his intention. The power of sanctioning or refusing to sanction such building under section 83 shall be exercised by the President.

3. Every person giving such notice shall submit therewith a site-plan and plans and specifications of the proposed buildings in accordance with the following rules :-

(i) The site-plan shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to 32 feet and showing :-

(a) the area to be occupied by the proposed buildings;

(b) the position, nature and use of all existing buildings thereon, and of the proposed building, and all appurtenant out buildings;

(c) the nature of the ground on which the proposed buildings are to be erected, whether made or natural, whether rock, clay, gravel, sand or mixed, as the case may be; and in the case of made grounds, the time when it was so made and the materials used in making it;

(d) the position of latrines or privies, and the proposed method of drainage;

(e) the names, (if any), or description of the adjacent roads, streets or lanes with the width thereof, and the position and use of adjacent buildings;

Provided that in the case of buildings of which the value will be less than Rs.500/-, it shall be sufficient for the site-plan to show, to the satisfaction of the President, without scale, the size of the proposed building and its position on the land together with the

(ii) The plans of the proposed buildings shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to eight feet and showing :-

(a) the plan of the ground floor and of each floor, with sections and elevations on the same scale;

(b) the levels of the foundation and lowest floor or plinths, with reference to the level at the centre of the adjacent roads, or streets, and the level of the site;

(c) the depth and thickness of foundations;

(d) the height and thickness of the plinth or basement walls and of the walls above the plinth;

(e) the thickness of the floor or floors and the dimensions and structure of the roof.

Provided that in the case of buildings of which the value will be less than Rs.500/-, it shall be sufficient to show in writing to the satisfaction of the President, the levels at which the foundation and lowest floor are proposed to be laid.

(iii) The plans of every building of which the value will be not less than Rs.500/- shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof, including the dimensions of all beams bressemers, posts, pillars and columns.

4. Prohibition of certain sites. No foundation of a new building intended for human occupation, shall be constructed on a site which has been filled up with or used as a place for depositing excrementitious matter or the carcasses of dead animals or other filthy or offensive matter until such matter shall have been properly removed to the satisfaction of the Health Officer or shall in his opinion, have become innocuous.

5. Building not to be erected on a Municipal Drain. No building shall be erected over a Municipal Drain.

6. Location of the building. In no new building shall the foundation of the external wall along the street be located less than 1½ feet from the edge of the street including the drain.

25

7. Foundation of walls. The Footings of the walls and the posts of the ground floor of the building proposed to be erected should rest on the solid ground or upon a sufficient thickness of concrete, or upon some solid and sufficient substructure as a foundation.

Provided that where a solid rock is met with, at or near the surface of the site of such building, that is, within 3 feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly cleaned sufficiently and stepped or jagged to receive the first course of masonry.

8. Plinth. The height of the plinth shall, in the case of buildings which are to be built abutting a street, be not less than 1½ feet above the level of the said street, and in the case of buildings which are to be built away from a street, it shall not be below such height as may be fixed by the President.

9. Insertion of damp proof courses. In the case of buildings which, in the opinion of the President, Municipal Commission, are likely to be damp on account of the high level of the sub-soil water in the site, if the President deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement, vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

10. Chimney. Every person erecting a chimney, shall so construct it that the upper outlet shall be at least 4 feet above the roof of the house.

11. Height and area of the room. (a) The minimum height of every room intended to be inhabited in a building shall be not less than 8 feet from the floor to the ceiling.

(b) No such room should have less than 50 sq. feet superficial area.

12. (1) Every such room shall have windows or ventilators (other than roof lights or ventilators) opening directly into the external air and of a superficial area of not less than twelve and a half per cent

of the floor area of the room or twelve square feet, whichever is greater :

Provided that where any door or doors of such room also open directly into the external air, it shall be sufficient if the total superficial area of such door or doors and of the windows and ventilators is not less than twenty per cent of the floor area of the room.

(2) The condition prescribed by sub-rule (1) shall be deemed to be satisfied if the doors, windows and ventilators referred to therein open, instead of into the external air, into a verandah -

(i) the height of the eaves of which measured from the level of the floor thereof is not less than five feet; and

(ii) which opens for the whole of its length on to an open space of width not being less than eight feet.

(3) Every open space referred to in clause (ii) of sub-rule (2) shall be free and be kept free from any erection thereon and shall be open to the sky:

Provided that a portico of reasonable dimensions may be treated as part of the open space for the purposes of these sub-rules.

13. Height of the building. No person erecting a building which abuts on a street, shall so construct it that any point of it is at a height greater than 1½ times and in no case more than 60 feet the width of the street immediately in front of it, including open spaces if any; provided that nothing in this bye-law shall debar any person from re-constructing any building which had stood within two years on the same site, on the model of and with the same dimensions as the original building.

14. Aerial Projections. No person who builds, alters or adds to a building within the meaning of section 83 of the Bangalore Municipal Law shall allow any part of his building, temporary or permanent, to project aerially, beyond the limits of his site, so as to make it encroach upon or overhang any Municipal road, or lane, or the margin thereof, or any other Municipal land.

15. All water spouts to drain off roof or other water, shall be led down to the ground touching the wall, and shall not be so constructed as

27

to discharge water to the inconvenience or annoyance of neighbours, passers by, or to the damage of the Municipal property.

16. No shutters of stables or other buildings shall be so constructed as to project on Municipal land when left open.

17. Inspection. All Officers of Health Department of and above the grade of Sanitary Inspectors and all Officers of the Municipal Public Works Department of and above the grade of Sub-Overseers, shall be competent to inspect buildings under construction at all reasonable hours during the day and where a license has been granted, to satisfy themselves that the work under progress is in conformity with the terms of the license and not contrary to the existing bye-laws.

18. Septic Tanks. Septic tanks shall only be constructed on soil certified as fit by and on type plans approved by the Engineering and Health Departments, copies of which will be available on application.

19. Drainage to be provided in certain cases. In localities where facilities for drainage and daily conservancy have not been created no dwelling houses shall be constructed unless sufficient facilities for drainage and daily conservancy are provided by the owner of the land to the satisfaction of the President.

20. Area of the site built upon. On all plots measuring 100 ft. x 100 ft. half the area may be built upon, on plots measuring more than 100 ft. x 100 ft. one-third and on smaller plots (no plots being less than 50 ft. x 40 ft.) up to two-thirds.

21. Huts, sheds or ranges. Every person who shall erect huts or sheds, or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables, or for any other purpose, shall, if the President so requires, build the same,

(a) so that they may stand in regular lines with a free passage or way, in front of and between every two lines and of such width as the President may direct, for ventilation and for facilitating scavenging;

(b) with such and so many privies, latrines, or urinals and such means of drainage as the President may require; and

(c) at such level as will suffice for the means of drainage required by the President.

22. Prohibition of mud walls. Within the Station limits, no wall of any building shall be made of mud alone.

23. Building plot to be levelled. The building plot of every building shall be levelled in such a manner that rain water may rapidly drain off into a water course or Municipal drain.

24. General. No building site shall be surrounded by a hedge of lantana, aloe, prickly-pear or other objectionable plant, or by a fence of barbed iron wire.

25. Every house shall have a decent frontage and no perishable or inflammable materials shall be used for construction. Houses shall not be built contiguous to each other.

26. No person shall construct over a privy, new or old, any room or structure of any description except another privy, or a bathing place or bath room.

27. If it appears to the President, that any Bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right the defect or to conform to the terms of the license granted to him within a reasonable time as specified in such a notice.

Such person shall, within the time specified in such notice, comply with the several requirements thereof.

28. Notice of completion of building. Every person, who shall erect a building, shall within one month after the completion of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of such building.

29. A permission to build granted under these bye-laws shall become inoperative if the construction has not been commenced within one year of the date of such permission, provided that a license once obtained shall be renewed on application for an additional one year from the date on which such license is renewed.

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30. Special conditions to individual cases. Notwithstanding anything contained in these bye-laws, it shall be within the discretion of the President, Municipal Commission, to attach special conditions to individual cases, provided that they are not inconsistent with the provisions of the Law.

31. Penalty. Every person who commits any breach of bye-law Nos.1,4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs.50/-.

KB.

Issued.
3/10/39

Pages 49 and 50 of M.C. Bye-Laws

S.N.1
P.U.C

Page 21 of P.U.C.

P.Dis No. 574/39 3/10/39.

From

The Secretary to the Resident.

To

The President, Municipal Commn.,
Civil and Military Station,
Bangalore.

Amendment to Bye-law No.2-Chapter III - Building Bye-laws.

Reference your letter No.1659/39 dated the 9th September 1939.

2. The Resident confirms the Commission's resolution No.6 dated the 31st August 1939.

3, Please send a notification for publication in the Residency Orders.

Secretary to the Resident.

27.9.39

No. 659/39

Civil and Military Station, Bangalore,
Municipal Office,
dated 04 October 1939.

N O T I F I C A T I O N.

In exercise of the powers conferred upon them by Sections 81, 83 (1) and 137 (1) (n) of the Bangalore Municipal Law, 1897, the Municipal Commission for the Civil and Military Station, Bangalore, approved the following Bye-laws to be substituted for the present Bye-law No.2, Chapter III - Buildings :-

Bye-law No.2, Chapter III - Buildings.

Bangalore Municipal Law - Sections 81, 83(1) and 137 (1) (n).

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1. The roof and external walls of huts or other buildings within Municipal limits shall not be made or renewed of grass, mats, leaves or other highly inflammable material, without the written permission of the President.

2. Before beginning to erect or re-erect any building, the person intending to erect or re-erect such building shall give to the President notice in writing of his intention. The power of sanctioning or refusing to sanction such building under Section 83 shall be exercised by the President.

3. Every person giving such notice shall submit therewith a site-plan and plans and specifications of the proposed buildings in accordance with the following rules :-

(i) The site-plan shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to 32 feet and showing :-

(a) the area to be occupied by the proposed buildings;

(b) the position, nature and use of all existing buildings thereon, and of the proposed building, and all appurtenant out-buildings;

(c) the nature of the ground on which the proposed buildings are to be erected, whether made or natural, whether rock, clay, gravel, sand or mixed, as the case may be; and in the case of made grounds, the time when it was so made and the materials used in making it;

(d) the position of latrines or privies, and the proposed method of drainage;

(e) the names, (if any), or description of the adjacent roads, streets or lanes with the width thereof, and the position and use of adjacent buildings;

Provided that in the case of buildings of which the value will be less than Rs.500/-, it shall be sufficient for the site-plan

to show, to the satisfaction of the President, without scale, the size of the proposed building and its position on the land together with the position of the land with reference to adjacent buildings or lands.

(ii) The plans of the proposed buildings shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to eight feet and showing :-

(a) the plan of the ground floor and of each floor, with sections and elevations on the same scale;

(b) the levels of the foundation and lowest floor or plinths, with reference to the level at the centre of the adjacent roads, or streets, and the level of the site;

(c) the depth and thickness of foundations;

(d) the height and thickness of the plinth or basement walls and of the walls above the plinth;

(e) the thickness of the floor or floors and the dimensions and structure of the roof.

Provided that in the case of buildings of which the value will be less than Rs.500/-, it shall be sufficient to show in writing to the satisfaction of the President, the levels at which the foundation and lowest floor are proposed to be laid.

(iii) The plans of every building of which the value will be not less than Rs.500/- shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof, including the dimensions of all beams, bressemers, posts, pillars and columns.

4. Prohibition of certain sites. No foundation of a new building intended for human occupation, shall be constructed on a site which has been filled up with or used as a place for depositing ~~aforementioned~~ filthy matter or the carcasses of dead animals or other ~~filthy or~~ offensive matter until such matter shall have been properly removed to the satisfaction of the Health Officer or shall in his opinion, have become innocuous.

5. Building not to be erected on a Municipal Drain. No building shall be erected over a Municipal Drain.

6. Location of the building. In no new building shall the foundation of the external wall along the street be located less than 1½ feet from the edge of the street including the drain.

7. Foundation of walls. The footings of the walls and the posts of the ground floor of the building proposed to be erected should rest on the solid ground or upon a sufficient thickness of concrete, or upon some solid and sufficient substructure as a foundation.

Provided that where a solid rock is met with, at or near the surface of the site of such building, that is, within 3 feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly cleaned sufficiently and stepped or jagged to receive the first course of masonry.

8. Plinth. The height of the plinth shall, in the case of buildings which are to be built abutting a street, be not less than 1½ feet above the level of the said street, and in the case of buildings which are to be built away from a street, it shall not be below such height as may be fixed by the President.

9. Insertion of damp proof courses. In the case of buildings which, in the opinion of the President, Municipal Commission, are likely to be damp on account of the high level of the sub-soil water in the site, if the President deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement, vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

10. Chimney. Every person erecting a chimney, shall so construct it that the upper outlet shall be at least 4 feet above the roof of the house.

11. Height and area of the room. (a) The minimum height of every room intended to be inhabited in a building shall be not less than 8 feet from the floor to the ceiling.

(b) No such room should have less than 50 sq. feet superficial area.

12. (1) Every such room shall have windows or ventilators (other than roof lights or ventilators) opening directly into the external air and of a superficial area of not less than twelve and a half per cent of the floor area of the room or twelve square feet, whichever is greater :

Provided that where any door or doors of such room also ope

directly into the external air, it shall be sufficient if the total superficial area of such door or doors and of the windows and ventilators is not less than twenty per cent of the floor area of the room.

(2) The condition prescribed by sub-rule (1) shall be deemed to be satisfied if the doors, windows and ventilators referred to therein open, instead of into the external air, into a verandah -

(i) the height of the eaves of which measured from the level of the floor thereof is not less than five feet; and

(ii) which opens for the whole of its length on to an open space of width not being less than eight feet.

(3) Every open space referred to in clause (ii) of sub-rule (2) shall be free and be kept free from any erection thereon and shall be open to the sky:

Provided that a portico of reasonable dimensions may be treated as part of the open space for the purposes of these sub-rules.

13. Height of the building. No person erecting a building which abuts on a street, shall so construct it that any point of it is at a height greater than 1½ times and in no case more than 60 feet the width of the street immediately in front of it, including open spaces if any; provided that nothing in this bye-law shall debar any person from re-constructing any building which had stood within two years on the same site, on the model of and with the same dimensions as the original building.

14. Aerial Projections. No person who builds, alters or adds to a building within the meaning of Section 83 of the Bangalore Municipal Law shall allow any part of his building, temporary or permanent, to project aerially, beyond the limits of his site, so as to make it encroach upon or overhang any Municipal road, or lane, or the margi thereof, or any other Municipal land.

15. All water spouts to drain off roof or other water, shall be led down to the ground touching the wall, and shall not be so constructed as to discharge water to the inconvenience or annoyance of neighbours, passers by, or to the damage of the Municipal property.

16. No shutters of stables or other buildings shall be

constructed as to project on Municipal land when left open.

17. Inspection. All Officers of Health Department of and above the grade of Sanitary Inspectors and all Officers of the Municipal Public Works Department of and above the grade of Sub-Overseers, shall be competent to inspect buildings under construction at all reasonable hours during the day and where a license has been granted, to satisfy themselves that the work under progress is in conformity with the terms of the license and not contrary to the existing bye-laws.

18. Septic Tanks. Septic tanks shall only be constructed on soil certified as fit by and on type plans approved by the Engineering and Health Departments, copies of which will be available on application.

19. Drainage to be provided in certain cases. In localities where facilities for drainage and daily conservancy have not been created no dwelling houses shall be constructed unless sufficient facilities for drainage and daily conservancy are provided by the owner of the land to the satisfaction of the President.

20. "Area of the site built upon.—

(1) New buildings will not ordinarily be sanctioned on more than ½, ⅓ and ⅔ respectively of the area of plots measuring 100′×100′, more than 100′×100′ and less than 100′×100′.

(2) New buildings will not ordinarily be sanctioned on plots less than 50′×40′.

Provided that this rule shall not apply to buildings in Bazaar areas where each case shall be dealt with on its merits."

S. N. 31 R. F. 293(2)-41

21. Huts, sheds or ranges. Every person who shall erect huts or sheds, or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables, or for any other purpose, shall, if the President so requires, build the same,

(a) so that they may stand in regular lines with a free passage or way, in front of and between every two lines and of such width as the President may direct, for ventilation and for facilitating scavenging;

(b) with such and so many privies, latrines, or urinals and such means of drainage as the President may require; and

(c) at such level as will suffice for the means of drainage required by the President.

22. Prohibition of mud walls. Within the Station limits, no wall of any building shall be made of mud alone.

23. Building plot to be levelled. The building plot of every building shall be levelled in such a manner that rain water may

rapidly drain off into a water course or Municipal drain.

24. General. No building site shall be surrounded by a hedge of lantana, aloe, prickly-pear or other objectionable plant, or by a fence of barbed iron wire.

25. Every house shall have a decent frontage and no perishable or inflammable materials shall be used for construction. Houses shall not be built contiguous to each other.

26. No person shall construct over a privy, new or old, any room or structure of any description except another privy, or a bathing place or bath room.

27. If it appears to the President, that any Bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right the defect or to conform to the terms of the license granted to him within a reasonable time as specified in such a notice.

Such person shall, within the time specified in such notice, comply with the several requirements thereof.

28. Notice of completion of building. Every person, who shall erect a building, shall within one month after the completion of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of such building.

29. A permission to build granted under these bye-laws shall become inoperative if the construction has not been commenced within one year of the date of such permission, provided that a license once obtained shall be renewed on application for an additional one year from the date on which such license is renewed.

30. Special conditions to individual cases. Notwithstanding anything contained in these bye-laws, it shall be within the discretion of the President, Municipal Commission, to attach special conditions to individual cases, provided that they are not inconsistent with the provisions of the Law.

31. Penalty. Every person who commits any breach of Bye-law Nos.1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 shall, on conviction before a

37

a Magistrate, be liable to a fine not exceeding Rs.50/-.

2. The Bye-laws have been confirmed by the Hon'ble the Resident as required by Section 139 (1) of the Bangalore Municipal Law and will come into force with effect from the 1st November 1939.

H. H. Carleston,
President, M. C.

No. 1659/39 dated 10th October 1939.

Copy to the Secretary to the Hon'ble the Resident in Mysore, Bangalore, with reference to his Memorandum R.Dis.No.F.574-39/G. & A., dated the 3rd October 1939 for favour of publication in the next issue of the Mysore Residency Orders.

for President, M. C.

MVL.
10-10-39.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
11 OCT. 1939
Diary No. 10,477
File No.

Forwarded to the Manager, Residency Press for publication in the Residency Orders and return with 10 spare copies.

16-10-39

M.F. 574/39

MUNICIPAL OFFICE, CIVIL AND MILITARY STATION, BANGALORE.

NOTIFICATION.

No. 1659/39, dated Bangalore, the 10th October 1939.

I. In exercise of the powers conferred upon them by Sections 81, 83 (1) and 137 (1) (n) of the Bangalore Municipal Law, 1897, the Municipal Commission for the Civil and Military Station, Bangalore, approved the following Bye-laws to be substituted for the present Bye-law No. 2, Chapter III—Buildings :—

BYE-LAW No. 2, CHAPTER III—BUILDINGS.

Bangalore Municipal Law—Sections 81, 83 (1) and 137 (1) (n).

1. The roof and external walls of huts or other buildings within Municipal limits shall not be made or renewed of grass, mats, leaves or other highly inflammable material, without the written permission of the President.

2. Before beginning to erect or re-erect any building, the person intending to erect or re-erect such building shall give to the President notice in writing of his intention. The power of sanctioning or refusing to sanction such building under Section 83 shall be exercised by the President.

3. Every person giving such notice shall submit therewith a site-plan and plans and specifications of the proposed buildings in accordance with the following rules :—

(i) The site-plan shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to 32 feet and showing :—

(a) the area to be occupied by the proposed buildings ;

(b) the position, nature and use of all existing buildings thereon, and of the proposed building, and all appurtenant out-buildings ;

(c) the nature of the ground on which the proposed buildings are to be erected, whether made or natural, whether rock, clay, gravel, sand or mixed, as the case may be ; and in the case of made grounds, the time when it was so made and the materials used in making it ;

(d) the position of latrines or privies, and the proposed method of drainage ;

(e) the names, (if any), or description of the adjacent roads, streets or lanes with the width thereof, and the position and use of adjacent buildings :

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient for the site-plan to show, to the satisfaction of the President, without scale, the size of the proposed building and its position on the land together with the position of the land with reference to adjacent buildings or lands.

(ii) The plans of the proposed buildings shall be submitted in duplicate, drawn on tracing cloth to a scale of not less than one inch to eight feet and showing :—

(a) the plan of the ground floor and of each floor, with sections and elevations on the same scale ;

(b) the levels of the foundation and lowest floor or plinths, with reference to the level at the centre of the adjacent roads, or streets, and the level of the site ;

(c) the depth and thickness of foundations ;

(d) the height and thickness of the plinth or basement walls and of the walls above the plinth ;

(e) the thickness of the floor or floors and the dimensions and structure of the roof :

Provided that in the case of buildings of which the value will be less than Rs. 500, it shall be sufficient to show in writing to the satisfaction of the President, the levels at which the foundation and lowest floor are proposed to be laid.

(iii) The plans of every building of which the value will be not less than Rs. 500 shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof, including the dimensions of all beams, bressemers, posts, pillars and columns.

4. *Prohibition of certain sites.* No foundation of a new building intended for human occupation, shall be constructed on a site which has been filled up with or used as a place for depositing filthy matter or the carcasses of dead animals or other offensive matter until such matter shall have been properly removed to the satisfaction of the Health Officer or shall in his opinion, have become innocuous.

5. *Building not to be erected on a Municipal Drain.* No building shall be erected over a Municipal drain.

6. *Location of the building.* In no new building shall the foundation of the external wall along the street be located less than 1½ feet from the edge of the street including the drain.

7. *Foundation of walls.* The footings of the walls and the posts of the ground floor of the building proposed to be erected should rest on the solid ground or upon a sufficient thickness of concrete, or upon some solid and sufficient substructure as a foundation:

Provided that where a solid rock is met with, at or near the surface of the site of such building, that is, within 3 feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly cleaned sufficiently and stepped or jagged to receive the first course of masonry.

8. *Plinth.* The height of the plinth shall, in the case of buildings which are to be built abutting a street, be not less than 1½ feet above the level of the said street, and in the case of buildings which are to be built away from a street, it shall not be below such height as may be fixed by the President.

9. *Insertion of damp-proof courses.* In the case of buildings which, in the opinion of the President, Municipal Commission, are likely to be damp on account of the high level of the subsoil water in the site, if the President deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement, vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

10. *Chimney.* Every person erecting a chimney, shall so construct it that the upper outlet shall be at least 4 feet above the roof of the house.

11. *Height and area of the room.* (a) The minimum height of every room intended to be inhabited in a building shall be not less than 8 feet from the floor to the ceiling.

(b) No such room should have less than 50 sq. feet superficial area.

12. (1) Every such room shall have windows or ventilators (other than roof lights or ventilators) opening directly into the external air and of a superficial area of not less than twelve and a half per cent of the floor area of the room or twelve square feet, whichever is greater:

Provided that where any door or doors of such room also open directly into the external air, it shall be sufficient if the total superficial area of such door or doors and of the windows and ventilators is not less than twenty per cent of the floor area of the room.

(2) The condition prescribed by sub-rule (1) shall be deemed to be satisfied if the doors, windows and ventilators referred to therein open, instead of into the external air, into a verandah—

(i) the height of the eaves of which measured from the level of the floor thereof is not less than five feet; and

(ii) which opens for the whole of its length on to an open space of width not being less than eight feet.

(3) Every open space referred to in clause (ii) of sub-rule (2) shall be free and be kept free from any erection thereon and shall be open to the sky:

Provided that a portico of reasonable dimensions may be treated as part of the open space for the purposes of these sub-rules.

13. *Height of the building.* No person erecting a building which abuts on a street, shall so construct it that any point of it is at a height greater than 1½ times and in no case more than 60 feet the width of the street immediately in front of it, including open spaces if any; provided that nothing in this bye-law shall debar any person from re-constructing any building which had stood within two years on the same site, on the model of and with the same dimensions as the original building.

14. *Aerial Projections.* No person who builds, alters or adds to a building within the meaning of Section 83 of the Bangalore Municipal Law shall allow any part of his building, temporary or permanent, to project aerially, beyond the limits of his site, so as to make it encroach upon or overhang any Municipal road, or lane, or the margin thereof, or any other Municipal land.

15. All water spouts to drain off roof or other water shall be led down to the ground touching the wall, and shall not be so constructed as to discharge water to the inconvenience or annoyance of neighbours, passers by, or to the damage of the Municipal property.

16. No shutters of stables or other buildings shall be so constructed as to project on Municipal land when left open.

17. *Inspection.* All officers of Health Department of and above the grade of Sanitary Inspectors and all officers of the Municipal Public Works Department of and above the grade of Sub-Overseers shall be competent to inspect buildings under construction at all reasonable hours during the day and where a license has been granted, to satisfy themselves that the work under progress is in conformity with the terms of the license and not contrary to the existing bye-laws.

18. *Septic Tanks.* Septic tanks shall only be constructed on soil certified as fit by and on type plans approved by the Engineering and Health Departments, copies of which will be available on application.

19. *Drainage to be provided in certain cases.* In localities where facilities for drainage and daily conservancy have not been created no dwelling houses shall be constructed unless sufficient facilities for drainage and daily conservancy are provided by the owner of the land to the satisfaction of the President.

20. *Area of the site built upon.* On all plots measuring 100 ft. × 100 ft. half the area may be built upon, on plots measuring more than 100 ft. × 100 ft. one-third and on smaller plots (no plots being less than 50 ft. × 40 ft.) up to two-thirds.

21. *Huts, sheds or ranges.* Every person who shall erect huts or sheds, or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables, or for any other purpose, shall, if the President so requires, build the same,

(a) so that they may stand in regular lines with a free passage or way, in front of and between every two lines and of such width as the President may direct, for ventilation and for facilitating scavenging;

(b) with such and so many privies, latrines, or urinals and such means of drainage as the President may require; and

(c) at such level as will suffice for the means of drainage required by the President.

22. *Prohibition of mud walls.* Within the Station limits, no wall of any building shall be made of mud alone.

23. *Building plot to be levelled.* The building plot of every building shall be levelled in such a manner that rain water may rapidly drain off into a water-course or Municipal drain.

24. *General.* No building site shall be surrounded by a hedge of lantana, aloe, prickly-pear or other objectionable plant, or by a fence of barbed iron wire.

25. Every house shall have a decent frontage and no perishable or inflammable materials shall be used for construction. Houses shall not be built contiguous to each other.

26. No person shall construct over a privy, new or old, any room or structure of any description except another privy, or a bathing place or bath room.

27. If it appears to the President, that any bye-law relating to new buildings, has been contravened in any way, it will be open to him to issue a notice in writing, requiring the owner of the building to set right the defect or to conform to the terms of the license granted to him within a reasonable time as specified in such a notice.

Such person shall, within the time specified in such notice, comply with the several requirements thereof.

28. *Notice of completion of building.* Every person, who shall erect a building, shall within one month after the completion of such building, deliver or send, or cause to be delivered or sent, to the President, at his office, notice in writing of the completion of such building.

29. A permission to build granted under these bye-laws shall become inoperative if the construction has not been commenced within one year of the date of such permission, provided that a license once obtained shall be renewed on application for an additional one year from the date on which such license is renewed.

30. *Special conditions to individual cases.* Notwithstanding anything contained in these bye-laws, it shall be within the discretion of the President, Municipal Commission, to attach special conditions to individual cases, provided that they are not inconsistent with the provisions of the Law.

31. *Penalty.* Every person who commits any breach of Bye-law Nos. 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50.

II. The bye-laws have been confirmed by the Hon'ble the Resident as required by Section 139 (1) of the Bangalore Municipal Law and will come into force with effect from the 1st November 1939.

H. H. CARLESTON,
President, Municipal Commission.

1084 (4)—3-11-1939—10—RPB.

MUNICIPAL OFFICE, CIVIL AND MILITARY STATION, BANGALORE.

NOTIFICATION.

No. 3918/41, dated Bangalore, the 27th October 1941.

In exercise of the powers conferred upon it by Sections 81, 83 (1) and 137 (1) (n) of the Bangalore Municipal Law, 1897, the Municipal Commission for the Civil and Military Station, Bangalore, approved of the substitution of the following for Rule 20 of the Building Bye-law (Bye-law No. 2, Chapter III—Buildings) :—

" *Area of the site built upon.*—

(1) New buildings will not ordinarily be sanctioned on more than $\frac{1}{2}$, $\frac{1}{3}$ and $\frac{2}{3}$ respectively of the area of plots measuring $100' \times 100'$, more than $100' \times 100'$ and less than $100' \times 100'$.

(2) New buildings will not ordinarily be sanctioned on plots less than $50' \times 40'$.

Provided that this rule shall not apply to buildings in Bazaar areas where each case shall be dealt with on its merits."

The amendment has been confirmed by the Hon'ble the Resident as required by Section 139 (1) of the Bangalore Municipal Law and is hereby published for the general information of the public.

H. H. CARLESTON,
President, Municipal Commission.

752 (5)—4-11-1941—10—RPB.